IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

WP(C).No. 4272 of 2007(H)

PETITIONER:

MASAFI SUDHAJALA VITHARANA SUJITHWA SANGAM, REG.NO. KOTHARTHODU, KARUVANTHURUTHY P.O., FEROKE, KOZHIKODE DISTRICT. REP.BY ITS SECRETARY E.P.ABOOBACKER SIDDIQUE.

BY ADV. SRI.K.G.ANIL BABU

RESPONDENTS:
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1. THE KERALA WATER RURAL SUPPLY AND SANITATION AGENCY (JALANIDHI), (A WORLD BANK AIDED PROJECT OF GOVERNMENT OF KERALA),P.T.C. TOWERS, 3RD FLOOR, J.S.CIVIL ROAD, THAMPANOOR, THIRUVANANTHAPURAM- 695 001, REP.BY ITS EXECUTIVE DIRECTOR.

2. THE PROJECT MANAGER, DISTRICT PROJECT MANAGEMENT UNIT, K.R.W.S.A., 3RD FLOOR, EROTH CENTRE, BANK ROAD, KOZHIKODE, PIN NO.673 001.

3. THE FEROKE GRAMA PANCHAYAT, FEROKE P.O., KOZHIKKODE DISTRICT, REPRESENTED BY ITS SECRETARY.

4. THE FEROKE GRAMA PANCHAYAT, JALANIDHI SCHEME LEVEL COMMITTEE, FEROKE GRAMA PANCHAYAT OFFICE, FEROKE POST, KOZHIKODE, REP.BY ITS SECRETARY.

BY ADV. SRI.BABU S. NAIR --r3
SRI.SUNNY MATHEW

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 4272/2007 h

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE LETTER NO. KRWSA/DPMU/PER/2005 DT. 16/12/2005 ISSUED BY THE R2.

EXT.P2. COPY OF THE NOTIFICATION ISSUED INVITING TENDERS FOR CONSTRUCTION OF THE WELL.

EXT.P3. COPY OF THE LETTER DATED 15/3/06 ISSUED BY THE DIRECTOR TECHICAL OF THE R1.

EXT.P4. COPY OF THE DIPARTILE AGREEMENT BY R2 AND THE PRESIDENT OF THE R3 PANCHAYATH DT. 30/8/2006.

EXT.P5. COPY OF THE REPORTED PUBLISHED IN THE CHANDRIKA DAILY DT. 20/6/2006.

EXT.P6. COPY OF THE LETTER OF THE SBI ALONG WITH THE STATEMENT OF COLLECTION OF CASH FROM THE COLLECTION OF BENEFICIARY GROUP.

EXT.P7. COPY OF THE LETTER NO. 25444/DP3/06/LSGD DT. 18/7/2006.

EXT.P8. COPY OF THE RESOLUTION OF THE R3 DT. 31/7/2006.

EXT.P9. COPY OF THE LETTER OF THE PRESIDENT OF THE PANCHAYAT TO EXE. DIRECTOR OF THE R1.

EXT.P10. COPY OF THE LETTER EXE. DIRECTOR OF R1 TO THE PRESIDENT OF THE R3.

EXT.P11. COPY OF THE LETTER SUBMITTED TO THE PRESIDENT OF THE R3 PANCHAYAT TO EXE. DIRECTOR OF THE R1 DT. 30/12/2006.

True copy

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THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No. 4272 OF 2007-H

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Dated this the 28th day of February, 2007.

JUDGMENT

The present anxiety of the petitioner, which is stated to be a registered voluntary organisation of the beneficiaries of the Jalanidhi Pure Drinking Water Supply Scheme, is that the funds available for the project shall not lapse by the end of the current financial year. There is a demand for implementing the scheme as the panchayat has collected the details of the required number of beneficiaries of the scheme and has provided the essential funds. This is a matter which has to be done by the 4th respondent, which is also represented by counsel. It is also pointed out that an amount of Rupees sixty-two lakhs is available as collected from the beneficiaries and the State Bank of Travancore is to fund the remaining portion and necessary materials are on record showing that that has been sanctioned. Ext.P7 also shows that Government themselves have granted a

sanction order. Under such circumstances, all that remains is a proper liaisoning between the different arms of the machinery which has to ultimately come out with the project of providing drinking water facility to the beneficiaries. Having regard to the time limit, it is directed that the Executive Director of the first respondent shall convene a conference of respondents 2, 3 and 4 and representatives of the beneficiaries on the 6th of March, 2007, without fail and the parties to this writ petition are hereby notified to appear before the Executive Director of the first respondent on that day. The Executive Director will make every endeavour to ensure that any administrative block is removed, if at all there is any, and the petitioner and the other respondents will ensure that all the needful is done to see that the amounts due for the project do not lapse and a fruitful decision comes out at the earliest.

The writ petition is disposed of with the aforesaid directions.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-